

**Peggy Quarles
1280 Inglecress Drive
Charlottesville, VA 22901**

June 2, 2016

Supervisor Clyde Thompson
Monongahela National Forest
200 Sycamore Street
Elkins, WV 26241

Supervisor Joby Timm
George Washington and Jefferson National Forests
5162 Valleypointe Parkway
Roanoke, VA 24019

Norman Bay, Chairman
Federal Energy Regulatory Commission
888 First Street, NE, Room 1A
Washington, DC 20426

ATTN: Atlantic Coast Pipeline Survey Comments
FERC Docket 15-554

ELECTRONIC DELIVERY

Dear Supervisors Thompson and Timm and Chairman Bay:

I am writing in response to the May 3, 2016 request for comments on the proposed actions of the U.S. Forest Service in response to the right-of-way grant application submitted by the Atlantic Coast Pipeline, LLC (Atlantic) to construct, operate and maintain the Atlantic Coast Pipeline (ACP) across the Monongahela National Forest (MNF) and George Washington National Forests (GWNF). This letter documents my reasons to oppose the granting of this right-of-way and changes to the Land and Resource Management Plans (LRMPs) for these Forests, including the designation of a utility corridor in the GWNF, which would be required if the application is approved. Please note that I have already submitted comments about the proposed ACP, many of which apply to the current route and new alternative.

1. Inadequacy and Incompleteness of Atlantic's Resource Reports

Repeatedly, Atlantic has submitted required resource reports which say that Atlantic will submit data later this year. These reports are inadequate and I recommend that you suspend further analysis of the route,

including preparation of an EIS, until Atlantic completes their analysis and provides the required surveys and assessments and supporting data which enable a consistent and meaningful analytical review by FERC and the Forest Service.

2. Atlantic's Failure to Demonstrate that Alternatives across Private Land are Infeasible.

Atlantic has not met the Forest Service requirement to demonstrate that no alternatives exist on private lands prior to the issuance of a special use permit. In addition, Atlantic has failed to provide detailed analysis of the multiple alternatives that are at the heart of the National Environmental Policy Act (NEPA). The Forest Service should deny the special use permit application for this and other reasons. FERC should require that Atlantic consider and document alternatives, including co-location with the existing Columbia pipeline to the north and the proposed Mountain Valley Pipeline to the south of the primary route. This documentation should require detailed comparative data of routes which are not provided in Atlantic's Resource Report 10.

3. Impact of Multiple Submissions and Route Changes

Since Atlantic's submission of the "Final" resource reports for the project last September, they have adopted a major route change and many route variations. Following these changes, Atlantic has submitted to FERC multiple Supplementary Filings, addressing specific changes as they are adopted. The result is that the documents in use by Agencies and the public contain much irrelevant information and no way there is no way to integrate data from multiple partial submissions into an understandable whole. This is a significant handicap to review and analysis by all parties. While FERC representatives have said that they do not have the authority to require Atlantic to resubmit an integrated set of reports, representing only the currently proposed route, it is within their authority to reject the previously submitted application and restart the application process requiring new submission. If FERC is unwilling to take this step, the Forest Service and other cooperating agencies, should require resubmissions of all data and reports relevant to the impacts on the Forests or their areas of interest.

4. Designation of Utility Corridor in the Land Management Plans

The purpose of designating a "utility corridor" is to identify the best possible location for utility services through an area. It is a planning tool, not a permit. The advantage of designating a utility corridor is to concentrate multiple uses into a single area which has been identified as optimal for that purpose. One advantage of designating a utility corridor is to engage the public fully regarding the benefits and costs of the land usage for this purpose. A pre-designated utility corridor would make the process of analyzing and permitting the utility use quicker and easier for the applicant.

The proposed amendment of the GWNF LRMP for the ACP turns this model of decision making on its head and is an abuse of the careful development process for Land Management Plans which the Forest Service has historically followed. It is inconsistent with the goals and purpose of utility corridors. To designate a utility corridor in response to the applicant's choices about where the corridor should be located will never serve the public needs, only the corporate interests.

5. Multiple Uses of Utility Corridor in the GWNF and de facto Corridor in the MNF

By definition, a utility corridor is designated to concentrate the impacts of multiple projects through a single corridor. Both FERC and the Forest Service policy promotes the use of an existing corridor or colocation with existing rights of way. It can be reasonably assumed that in both the GWNF and MNF, wherever the ACP is located will become a de facto corridor, the location of preference for future above

ground and below ground linear utilities. The requirement for a Utility Corridor designation in the GWNF LRMP only makes it more certain that the ACP will set a precedent for future expansion of the right of way, on both public and private land. In fact, GWNF LRMP Desired Condition LSU-15 states a goal of requiring that “Each utility corridor is developed and utilized to its greatest potential in order to reduce the need to develop additional corridors.”

If a corridor is designated to accommodate the ACP through the High Alleghenies, it would impact not only the Forest Land covered by the plan, but the interspersed private lands connecting the fragmented areas which are owned by the Forest Service. How can one justify defining a utility corridor through the National Forest with such significant impacts on the surrounding private lands? It would significantly increase the impacts on private lands by increasing the amount of land affected. These property owners would need to respond to future applications each time the corridor was proposed to be used. This additional burden on private land owners adjacent to the Forest lands is difficult to justify.

What level of analysis, comparison and public input should be undertaken to make this process consistent with the high standards expected of the Forest Service? FERC relies heavily on data collected by the applicant and the analysis of these data, which understandably focus on the impacts of a single project, not multiple uses of the entire corridor. And FERC has frequently stated that its analysis of “cumulative impacts” under NEPA does not include future projects that are not before them – whether or not their policy encourages multiple uses of existing right of ways. I would argue that the scope and methods used in the FERC process for review of a project proposal would be significantly different from those used by the Forest Service to identify, document, analyze and adopt a utility corridor through either the Monongahela or George Washington National Forests.

6. Conflict between Management Prescription 5C and Other Plan Components

Examining the content and structure of the current GWNF LRMP shows how carefully the designation of a utility corridor should be undertaken by the FS. Although utility corridors can be designated, there are clear situations for which this designation is not appropriate:

- Desired Condition LSU-04, which states that the AT must be “sufficiently protected from developments which would detract from the Trail experience.”
- Standard 2C2-022 states that eligible scenic rivers are not suitable for new utility corridors.
- Standard 4D-032 states that Special Biological Areas are “unsuitable for designation of new utility corridors.” It is my understanding that these areas are crossed by the proposed ACP.
- Standard 4E-020 states that Cultural Areas are “unsuitable for designation of new utility corridors.” Cultural surveys for the proposed route have not yet been completed, but are likely to find it crosses areas of historical significance.
- Standard 7F-026 states that the Blue Ridge Parkway Visual Corridor is “unsuitable for designation of new utility corridors.” There is little doubt that the view shed from the parkway would be changed by the ACP.

7. Inadequate Data for Analysis of Utility Corridor

Page 2-31 of the GWNF LRMP says that “Utility corridors designated as Management Prescription Area 5C are linear areas 50 to 1,000 feet wide. Karen Overcash, Forest Planner for the GWNF, responded to an email inquiry that the corridor width would be 500 feet for an easement of 50 feet. The ACP permanent easement is 75 feet so it is reasonable to assume a 750 foot corridor width. The Forest

Service Special Use Permit issued in April for surveying the pipeline route allows Atlantic to survey 300 foot corridor based on the proposed centerline.

Who is responsible for surveying and analyzing the full width of a utility corridor to support a determination by the Forest Service as to its suitability for this purpose? If it is the Forest Service's responsibility, appropriate time must be allowed for these activities, within the staffing capabilities and ongoing assignments of the local Forest Service specialists. Otherwise, no utility corridor should be approved. The impact of the entire width of the designated corridor and whether the corridor conflicts with any of the standards and conditions established in the LMRP must be fully evaluated before a change to the LMRP is considered or proposed.

8. Utility Corridor Compatibility with the Blue Ridge Parkway and Appalachian National Scenic Trail

If the Forest Service determines that a utility corridor can and should be designated for the ACP, the designated corridor will need to cross both the Blue Ridge Parkway (BRP) and the Appalachian National Scenic Trail (AT), both administered by the National Park Service in cooperation with the Forest Service. While Atlantic has proposed using Horizontal Direction Drilling (HDD) to go under these features for this project, it is hard to imagine how the National Park Service would agree to a larger above-ground utility corridor containing multiple uses. And it is equally difficult to imagine that the Forest Service would compromise its responsibility to protect these iconic features to accommodate the ACP. A utility corridor that stops at the Blue Ridge Mountains would be pointless and a contrived solution to the LMRP requirement.

9. Opposition to Right of Way Across Reid's Gap to Avoid Congressional Protections of the Blue Ridge Parkway and Appalachian National Scenic Trail.

Congress recognized the value of the Blue Ridge Parkway and the Appalachian National Scenic Trail and provided protections for these resources in the National Trails System Act in 1968. Atlantic has chosen the crossing of these valuable resources at Reid's Gap only because an anomaly in land ownership creates a "loophole" in this law and these protections which relieves of them of the obligation to receive Congressional approval. Presence of a legal loophole is a poor reason to site a major industrial corridor. It is an affront to our system of governance to so obviously undermine the intent of these laws. Atlantic has not proposed any alternative to this crossing, which is required by NEPA.

10. Need for Technical Engineering Review of HDD Crossing at Reid's Gap and Contingency Approach

Please extend the scope of the EIS to include a geologic and engineering analysis of the proposed HDD crossing of the BRP and AT, and an engineering assessment of the Draft Contingency Plan and related Geotechnical Reports (submitted by Atlantic on May 13, 2016) and the proposed alternate crossing method (item 12 below)

In the Draft Contingency Plan, Atlantic states:

Atlantic has completed geotechnical subsurface borings at the HDD crossing location and has confirmed its expectations that the drill path would be primarily through solid rock approximately 800 feet below the BP and the AT. Drilling through solid rock, while a time consuming process, significantly helps to ensure the success of the drill operation due to the avoidance of rock fragments and

cobbles that can disrupt or block the drill pathway. As such, and in consultation with drilling consultant, J.D.Hair & Associates, Atlantic is very confident in a successful HDD and pipeline installation at this location. (emphasis added)

In the Geotechnical Reports submitted in support of this conclusion, the subcontractor (ATS International, Inc.) to the Atlantic contractor (Geosyntec Consultants) qualifies its geotechnical report by noting in the Executive Summary that:

...the results in this report are provided with limited boring data with which to corroborate the geophysics. Additional boring data would be necessary to confirm or refute these findings. Actual subsurface conditions may differ from those interpreted within this report.

In a document available on J.D Hair's website, "Pre-construction Drillability Assessment for Horizontal Directional Drilling in Rock" there is a detailed explanation of the type of geotechnical analysis needed to assess contractual risk for companies offering and receiving contracts for HDD. This document suggests that the number of borings is important to identifying and understanding risks. That Atlantic and its contractors performed only two borings should be of significant concern. These borings were at each end of the proposed HDD. No borings were taken through the center portion of the drill.

Who at Atlantic has determined that Atlantic has confidence in their ability to complete the HDD drill successfully and what are that individual's credentials? What is the engineering meaning of "significantly helps?" What are the credentials of J.D. Hair & Associates? Is there a written report from J.D. Hair summarizing and attesting to this finding?

In addition, shouldn't any failure situation and contingency action be reported to FERC, the Forest Service and the National Park Service prior to implementing a different course of action?

11. Evaluation of Alternate Crossing Method

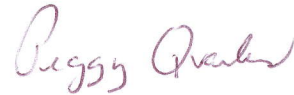
If the HDD fails after repeated attempts, Atlantic proposes an alternative method, Direct Pipeline Technology. Where is the information describing this technique? What is its history and success rate? Has it ever been used in these geologic conditions? Is it necessary to perform borings for this technique? And most importantly, if trees are cleared 350 from the AT wouldn't this be visible from the trail? What are the noise levels and light pollution associated with this method and a 24 hour 7 days a week construction schedule?

12. Inherent Limitation of Mitigation on Critical Ecosystems

The National Forests and the valuable ecosystems in the High Alleghenies are irreplaceable. Once a permanent easement is created, they will never be whole again. Mitigation principles say that the first step in implementing a mitigation strategy is avoidance. Another principle is that mitigation for project impacts is only applicable if one can look at the entirety of the ecosystem impacted and determine that the mitigation steps will make that ecosystem equal to or better than it was before the project was undertaken. Given the nature of the linear impacts of a pipeline through the forest, including forest edge effects, fragmentation, risk to biodiversity of invasive species, loss of habitat for endangered species, and water quality, is it highly doubtful that true mitigation can be accomplished. ACP's offer to conduct "other projects" outside of the forest ecosystem impacted or for compensatory mitigation should be rejected.

Thank you for providing an additional scoping period to solicit input and focus affected parties, FERC and cooperating agencies on the content and scope of the draft Environmental Impact Statement (DEIS) for the Atlantic Coast Pipeline. I urge you to review the significant comments I and others are submitting and proceed deliberately and responsively to our concerns. I trust that the Forest Service and FERC will continue to require the highest standard of analysis and reject Atlantic's attempts to accelerate the review process at the expense of that analysis in any way. Given the significant impacts that this project could have on two National Forests, numerous private landowners and communities, careful deliberation and ongoing communication with all stakeholders is required.

Sincerely,



Peggy Quarles

cc: Senator Tim Kaine
Senator Mark Warner
Jennifer Adams, US Forest Service
Tony Tooke, Regional Forester, US Forest Service
Kathleen Atkinson, Regional Forester, US Forest Service
Kevin Bowman, FERC Project Manager
Jon Jarvis, Director, National Park Service